



Justice Sector Reform/Rule of Law Activity

Sector:	Democracy and Governance
SO3:	Rehabilitate Afghanistan as a Nation State
Program Name:	Justice Sector Reform/Rule of Law Activity
Implementer:	MSI & Checchi and Co.
Duration:	MSI: Mar. 2003-Mar. 2005 Checchi: Oct. 2004-Sept 2007

USAID's rule of law activity reflects a transition from supporting the creation of a government to ensuring that the new government has the capacity to be a legitimate alternative to Afghanistan's violent political past.

Courthouse Construction/Rehabilitation of Provincial and District Courthouses

Fourteen projects were completed by end of 2004; 25 total (in 11 provinces) to be completed by April 2005 under MSI contract. All projects are planned jointly with Kabul and provincial officials. There is no budget for further construction and the program will terminate in April 2005, leaving approximately 150 Afghan court buildings untouched.

Legislative Drafting

In 2004, USAID implemented a training program at the legislative drafting unit of Ministry of Justice for all 50 employees. On the job mentoring continues, in an effort to increase capacity. USAID is also computerizing the office so employees can draft on computer. As a service to other donors and the international community, USAID distributes a monthly list tracking all Afghan legislation in process (> 100 drafts).

Court Administration

The 2004 Constitution mandated a court structure very similar to the American model, with a Supreme Court of nine justices. The prior Afghan system followed the European model and had a Supreme Court of about 140. USAID through MSI provided assistance for the transition and a court of 9 was appointed on January 3, 2005. USAID is also assisting with the drafting of a new courts organization law. In December 2004, MSI/TAF printed 1100 copies of ten basic laws plus the Constitution, and the Supreme Court is now distributing to all courts. The laws are also available on searchable CD-ROM. MSI is flowcharting court procedures in three pilot provinces and working with the Supreme Court to promulgate modernized procedures. The Supreme Court

is so happy with MSI's assistance that they have provided office space at the Court.

Training and Legal Education

In cooperation with lead nation Italy and INL, USAID is planning the development of a National Legal Training Center. Under the new Checchi contract, USAID is working with Kabul University to establish a Law School, combining elements of the current faculties of Shari'a and Law & Political Science. In 2006, law schools will be developed at three provincial universities. At the request of the two Kabul faculties, Checchi is now conducting intensive English classes for 30 professors during the three month winter break. Short-term training programs are conducted at provincial courts—in court administration and computer literacy as well as requested legal topics.

Public Education

A rule of law will be established in Afghanistan only if demanded by the public. A program—incorporating mobile cinema, comic books, posters and radio broadcasts—provides information about citizens' rights and the operation of the court system.